

AD 2.21, Smoke and Drug Free Workplace
Prepared for signature 3/27/02 - effective 5/10/02

1. Policy. The Department of Correction shall maintain facilities free from tobacco and illicit substances in order to promote a healthy work and living environment.
2. Authority and Reference.
 - A. Connecticut General Statutes, Sections 1-21b, 18-81, 21a-266, 21a-267, 21a-278, 21a-279 and 31-51.
 - B. American Correctional Association, Standards for Adult Local Detention Facilities, Third Edition, March 1991, Standard 3-ALDF-2D-08.
 - C. Office of Policy and Management, Office of Labor Relations General Notice 2000-20.
 - D. Administrative Directive 2.6, Employee Discipline.
3. Definitions. For the purposes stated herein, the following definitions apply:
 - A. Probable Cause. Reasonable belief by management that an employee is using drugs based on specific information or observation of the employee.
 - B. Smoking. The burning or any other use of a tobacco product or any other matter or substance which contains tobacco with the exception of any authorized religious practice.
 - C. Substance Abuse. The use of alcohol or other drugs which impair the physical, mental or social abilities.
4. General Provisions. The Department of Correction shall maintain a program for staff that provides for a drug-free and smoke-free workplace. The program shall, at a minimum, contain provisions for notification, prohibitions, drug testing, cessation and treatment programs, medications, enforcement and discipline. Each Unit Administrator shall manage and enforce this policy.
 - A. Expectations. All staff members are expected to report to duty free from the influence of illegal drugs and alcohol.
 - B. Notification. Each Facility Administrator shall ensure staff familiarization with this policy and any other policy regarding use of prescription/non-prescription medication, alcohol, illegal drugs and smoking/tobacco products. "No Smoking" signs shall be placed at each entrance and throughout the facility. Staff shall be notified of any area designated for staff smoking. Such designated smoking area shall be located at an area outside of the senses of the inmate population.
 - C. Prohibitions. Staff shall be prohibited from: (1) smoking in any unit unless within a designated smoking area; (2) bringing more than one (1) pack of cigarettes or tobacco product into the secure area of the facility or beyond restricted areas as designated by the Facility Administrator; (3) conveying drugs, alcohol and/or tobacco products to any inmate; (4) possessing or consuming drugs or alcohol while in the workplace; and (5) reporting to work with any detectable level of drugs or alcohol.
 - D. Drug Testing. The following procedures shall govern the

Departmental drug testing:

1. Prior to hire a prospective employee may be tested for use of illegal drugs.
2. A member of the P-3B or NP-4 bargaining unit, a managerial or an executive staff member shall be subject to an immediate drug test if the Unit Administrator or designee, or the employee's supervisor has determined probable cause. A qualified physician of the Department's choice shall oversee the drug testing process. The initial method of testing shall be immunoassay. All specimens identified as positive on the initial test shall be confirmed using the gas chromatography/mass spectroscopy test. If such a test is again positive, a third, more complex test on the same specimen may be administered at the request and expense of the employee. The Department shall pay for all initial tests.
3. Refusal on the part of a P-3B or NP-4 bargaining unit member, managerial or executive staff member to submit to a drug test shall be grounds for termination.
4. Positive findings from both initial and confirming drug tests shall result in the employee being relieved of duty and placed on sick or vacation leave, pending successful completion of a Department-approved drug rehabilitation program. If an employee does not have enough accruals to cover their time in the program, a Leave of Absence without pay may be requested.
5. Upon return to duty after successful completion of the drug rehabilitation program, the P-3B or NP-4 bargaining unit, managerial or executive employee shall be subject to drug screening based on probable cause for a period of (2) years, during which time the employee shall be subject to termination for a positive drug test. Any staff member refusing to submit to a drug test during this two (2) year period shall be terminated.

Staff who are required to possess a Commercial Driver's License (CDL) as part of their employment shall be subject to random drug testing in addition to any other testing requirements in accordance with this Directive and State or Federal regulations. As a result of probable cause or behavioral observations, any employee may be ordered to submit to drug or alcohol testing. Department employees assigned to the Central Transportation unit shall successfully complete a drug and alcohol test prior to the transfer to the unit and any other testing required or mandated by Federal Regulations upon assignment to the unit. CDL licensed drivers assigned to facilities may be subject to the same procedures. If any employee named in this subsection tests positive for drugs or alcohol, the employee shall be required to successfully complete a Department-approved drug or alcohol rehabilitation program before being considered for reinstatement. Upon successful completion of the drug or alcohol rehabilitation program, employees assigned to Central Transportation or other CDL positions shall be subject to monthly drug screening for two (2) years, during which time the employee shall be subject to

termination for a positive drug test. In addition, the employee shall be subject to reassignment out of the Central Transportation unit to a correctional facility or to other duties if already assigned to a correctional facility.

- E. Cessation and Treatment Programs. The Department, through the Employee Assistance Program, shall periodically offer access to programs designed to assist staff with smoking cessation or any other addiction as appropriate. Participation in such program shall normally be voluntary unless stipulated in accordance with this Directive or as part of a disciplinary action or as a measure to correct the poor work performance of an employee. Employees who identify themselves to supervisory staff as substance dependent will be referred for counseling and treatment as appropriate. Resumption of duty is contingent upon successful completion of the treatment program.
 - F. Medication. Staff taking prescribed medication shall so notify their supervisor prior to or immediately upon reporting for duty and include possible side effects of the medication. A written physician's statement verifying the effect of the medication on the employee's ability to perform assigned duties may be required. Medications shall be secured in an area that is not accessible to inmates.
 - G. Enforcement and Discipline. The administrator of each unit shall ensure that the enforcement of this policy is carried out. Violation of the policy shall lead to disciplinary action in accordance with Administrative Directive 2.6, Employee Discipline.
5. Exceptions. Any exception to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.